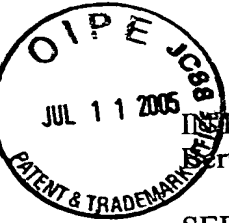


Docket No. 926512-95493

CUSTOMER NO. 23644



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

HERE THE APPLICATION OF  
Berton L. Vicars

Examiner:

IFW

SERIAL NO: 10/764,902

Confirmation No.: 2637

FILED: January 26, 2004

FOR: Suction Valve

Mail Stop - Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

- [x] AUTHORIZATION TO PAY AND PETITION FOR THE ACCEPTANCE OF ANY NECESSARY FEES. If any charges or fees must be paid in connection with the following Communication (including but not limited to the payment of Issue Fees), they may be paid out of our deposit account 12-0913. If this payment also requires a Petition, please construe this authorization to pay as the necessary Petition which is required to accompany this payment.
- [] Applicant hereby petitions for a       -month extension and entry of this Amendment which is sent within the        month after the due date of       . The payment of \$        to cover the        month extension is enclosed herewith.

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT  
BASED ON FAILURE TO RECEIVE OFFICE ACTION**

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Mail Stop - Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on:

Date: July 7, 2005  
By: Donna B. Vandenberg  
Donna B. Vandenberg

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OIPE/AP  
AUG 15 2005

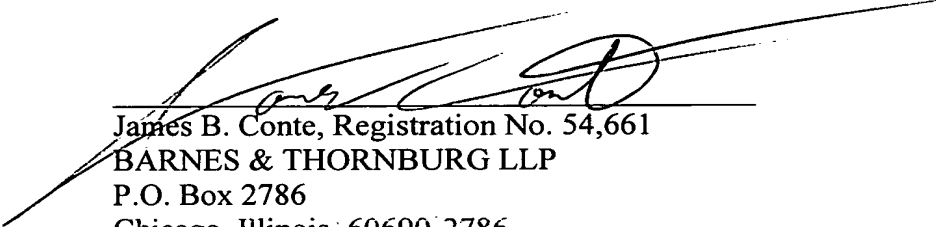
**BARNES & THORNBURG  
P.O. BOX 2786  
CHICAGO, ILLINOIS 60690-2786  
(312) 357-1313**

RECEIVED  
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Applicant received a Notice of Abandonment with a mailing date of June 10, 2005. The Notice advises that the Patent Office mailed an Office letter on December 1, 2004. According to PAIR, the final date to respond expired June 1, 2005. Applicant did not file a response. Therefore, the application now stands abandoned.

The Patent Office should withdraw the holding of abandonment. Applicant never received the Office Action, or any other communication dated December 1, 2004. Applicant has in fact searched the file jacket and there is no indication that Applicant received such a communication. Additionally, the docket records indicate that Applicant did not receive such a communication. Applicant encloses a copy of a report showing the docket record for the present application. The non-received communication's three month date would have been entered had it been received and docketed. There would have been a three month response date calendared for March 1, 2004. A copy of the Notice of Abandonment is enclosed. Notably, PAIR indicates that mail was returned to the PTO in December.

Respectfully submitted,



James B. Conte, Registration No. 54,661  
BARNES & THORNBURG LLP  
P.O. Box 2786  
Chicago, Illinois 60690-2786  
Telephone: (312) 357-1313

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# Country Application

Thursday, July 07, 2005

Page: 1

Client-Matter No: 926512-95493

Country: US

SubCase:

Client: Gardner Denver, Inc.

United States of America

Prior Firm Reference No.:

Application Status: Pending

Filing Date: 26-Jan-2004

Publication Date: 06-Jan-2005

Issue Date:

Parent/PCT Date : 03-Apr-2002

Parent Issue Date :

Expiration Date:

Patent Term Adjustment: 0

Case Type: CON

Application #: 10/764902

Publication #: 20050000571A1

Patent #:

Immed Parent #: 10/114356

Parent Patent #: 6695007

Tax Schedule: LE

Confirmation #: 2637

Agent:

Agent Reference No.:

Remarks: USPTO Notice of Abandonment dated 6/10/05. Per James Conte, do Not mark file as inactive in CPI. Docket abandonment notice only.

Invention No:

Responsible Office: CHI

Client Reference No:

E-File:

File Location:

Application:

Disclosure:

Filing Receipt:

Patent:

Publication:

Remarks1:

Remarks2:

Remarks3:



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**List Of Actions**

<b>Action(s) Due</b>	<b>Due Date</b>	<b>Action Taken</b>
IDS DUE	26-Apr-2004	Due Date 26-Jan-2005
IDS (1 MONTH EXTENSION)	26-May-2004	Reminder 26-Jan-2005
RESPONSE DUE 1 MONTH	04-Jun-2004	Reminder 02-Jul-2004
IDS( 2 MONTH EXTENSION)	26-Jun-2004	Reminder 26-Jan-2005
RESPONSE DUE	04-Jul-2004	Due Date 02-Jul-2004
IDS( 3 MONTH EXTENSION)	26-Jul-2004	Reminder 26-Jan-2005
FILE APP?(OPENED 6MO AGO)	29-Jul-2004	Reminder 26-Jan-2004
IDS DUE	30-Jul-2004	Due Date 17-Sep-2004
RESPONSE (1 MO EXTENSION)	04-Aug-2004	Due Date 02-Jul-2004
IDS (1 MONTH EXTENSION)	30-Aug-2004	Reminder 17-Sep-2004
RESPONSE (2 MO EXTENSION)	04-Sep-2004	Due Date 23-Feb-2004
RESPONSE DUE IN 1 MONTH	06-Sep-2004	Reminder 23-Aug-2004
IDS( 2 MONTH EXTENSION)	30-Sep-2004	Reminder 17-Sep-2004
RESPONSE (3 MO EXTENSION)	04-Oct-2004	Due Date 23-Feb-2004
RESPONSE DUE	06-Oct-2004	Due Date 23-Aug-2004
IDS( 6 MONTH EXTENSION)	26-Oct-2004	Reminder 26-Jan-2005
6M-CONTACT PTO RE: STATUS	30-Oct-2004	Reminder 30-Apr-2004
IDS( 3 MONTH EXTENSION)	30-Oct-2004	Reminder 17-Sep-2004
RESPONSE (LAST DAY)	04-Nov-2004	Due Date 23-Feb-2004
IDS( 12 MONTH EXTENSION)	26-Jan-2005	Reminder 26-Jan-2005
FILE APP?(OPENED 1YR AGO)	29-Jan-2005	Reminder 26-Jan-2004
IDS( 6 MONTH EXTENSION)	30-Jan-2005	Reminder 17-Sep-2004
12M-CONTACT PTO RE: STATUS	30-Apr-2005	Reminder 30-Apr-2004
IDS( 12 MONTH EXTENSION)	30-Apr-2005	Reminder 17-Sep-2004
16M-CONTACT PTO RE: STATUS	30-Aug-2005	Reminder
PET. TO REVIVE DUE IN 9MO	10-Sep-2005	Reminder
20M-CONTACT PTO RE: STATUS	30-Dec-2005	Reminder
FILE APP?(OPENED 2YR AGO)	29-Jan-2006	Reminder 26-Jan-2004
PET. TO REVIVE DUE IN 1MO	10-May-2006	Reminder
PET. TO REVIVE (LAST DAY)	10-Jun-2006	Due Date
FILE APP?(OPENED 3YR AGO)	29-Jan-2007	Reminder 26-Jan-2004

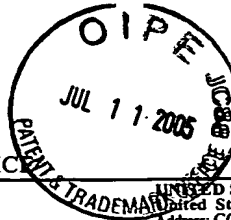
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**User ID:** amartell**Date Created:** 29-Jan-2004**Last Update:** 14-Jun-2005

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**JUL 12 2005**  
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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/764,902	01/26/2004	Berton L. Vicars	926512-95493	2637

7590 06/10/2005

James B. Conte  
BARNES & THORNBURG.  
P. O. Box 2798  
Chicago, IL 60690-2798

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JUN 14 2005  
BARNES & THORNBURG

EXAMINER

LEE, KEVIN L

ART UNIT PAPER NUMBER

3753

DATE MAILED: 06/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Docketed

By: AM

Date Docketed: 6/14/05

Due Date: \_\_\_\_\_

**Notice of Abandonment**

Application No.

10/764,902

Examiner

KEVIN L. LEE

Applicant(s)

VICARS, BERTON L.

Art Unit

3753

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 01 December 2004.
  - (a) ☐ A reply was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
  - (b) ☐ A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.  
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
  - (c) ☐ A reply was received on \_\_\_\_\_ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
  - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
  - (a) ☐ The issue fee and publication fee, if applicable, was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
  - (b) ☐ The submitted fee of \$\_\_\_\_\_ is insufficient. A balance of \$\_\_\_\_\_ is due.  
The issue fee required by 37 CFR 1.18 is \$\_\_\_\_\_. The publication fee, if required by 37 CFR 1.18(d), is \$\_\_\_\_\_.
  - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
  - (a) ☐ Proposed corrected drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.
  - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

*Kevin Lee*  
Kevin Lee  
Primary Examiner

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

U.S. Patent and Trademark Office  
PTOL-1432 (Rev. 04-01)

Notice of Abandonment

Part of Paper No. 20050606  
JUL 12 2005

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